

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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DONNIE RAY SHANNON,

Civil No. 11-3262 (JRT/FLN)

Plaintiff,

v.

**ORDER ADOPTING REPORT  
AND RECOMMENDATION**

TOM ROY AND JEFF PETERSON,

Defendants.

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Donnie Ray Shannon, #198924, 970 Pickett Street North, Bayport, MN 55003,  
pro se plaintiff.

Angela Behrens, **OFFICE OF THE MINNESOTA ATTORNEY  
GENERAL**, 445 Minnesota Street, Suite 900, St. Paul, MN 55101, for  
defendants.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Franklin L. Noel, dated August 14, 2012 [Docket No. 38]. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Defendants' motion to dismiss [Docket No. 17] is **GRANTED**;
2. This matter is **DISMISSED** with prejudice; and

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: August 31, 2012  
at Minneapolis, Minnesota

s/John R. Tunheim  
JOHN R. TUNHEIM  
United States District Judge